	Case 5:08-cv-01143-JF	Document 5	Filed 07/01	/2008	Page 1 of 3	
1 2 3 4 5 6 7 8	EDMUND G. BROWN JR. Attorney General of the Stat DANE R. GILLETTE Chief Assistant Attorney Ge GERALD A. ENGLER Senior Assistant Attorney G PEGGY S. RUFFRA Supervising Deputy Attorne JOAN KILLEEN Deputy Attorney General State Bar No. 111679  455 Golden Gate Avenue, San Francisco, CA 94102-Telephone: (415) 703-596 Fax: (415) 703-1234 Email: Joan.Killeen@doj.Attorneys for Respondent	eneral eneral y General Suite 11000 3664				
0	IN	THE UNITED ST	ATES DIST	RICT CO	URT	
1	FOR T	HE NORTHERN	DISTRICT O	F CALII	FORNIA	
2		SAN JO	SE DIVISION	1		
3	ALY TAMBOURA,			C 08-11	43 JF (PR)	
4			Petitioner,			
5						
	<b>V.</b>					
6	v. ROBERT L. AYERS, Wa	arden,				
16			Respondent.			
6				FIRST	EXTENSION OF TIM	E
16 17 18 19	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E
16 17 18 19 20	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E
16 17 18 19 20 21	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E
16 17 18 19 20 21	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E
16 17 18 19 20 21 22 23 24 25	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E
16 17 18 19 20 21 22 23 24 25 26	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E
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16 17 18 19 20 21 22 23 24 25 26	ROBERT L. AYERS, Wa			FIRST	EXTENSION OF TIM	E

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1	EDMUND G. BROWN JR.	CO 1:C :			
2	Attorney General of the State of DANE R. GILLETTE				
3	Chief Assistant Attorney Gene GERALD A. ENGLER	eral			
4	Senior Assistant Attorney Gen PEGGY S. RUFFRA	neral			
5	Supervising Deputy Attorney JOAN KILLEEN	General			
	Deputy Attorney General				
6	State Bar No. 111679 455 Golden Gate Avenue, So				
7	San Francisco, CA 94102-36 Telephone: (415) 703-5968	564			
8	Fax: (415) 703-1234 Email: Joan.Killeen@doj.ca	.gov			
9	Attorneys for Respondent	6			
10	IN TH	IE UNITED ST	ATES DISTE	RICT CO	URT
11	FOR THI	E NORTHERN	DISTRICT O	F CALII	FORNIA
12		SAN JOS	SE DIVISION	1	
13	ALY TAMBOURA,			C 08-1	143 JF (PR)
14	,		Petitioner,		ONDENT'S EX PARTE
15	<b>v.</b>			APPL	ICATION FOR FIRST ENSION OF TIME
16	ROBERT L. AYERS, Ware	den			
17	ROBERT E. MIERO, Walk	•	Dagnandant		
18	_		Respondent.		
19	Respondent respectf	ully requests that	at this Court g	rant a six	ty (60) day extension of time,
20	to and including August 30, 20	008, to file the	answer in this	s case. R	espondent has made no prior
21	request for an extension of time	ne.			
22	As set forth in the ac	ecompanying De	eclaration of	Counsel,	counsel for respondent needs
23	sixty (60) days to complete ar	nd file the answ	er. Responde	ent does	not believe petitioner will be
24	prejudiced by this request.				
25					
26					
27					
28					
	Respondent's Ex Parte Application Fo	or First Extension O	f Time - C 08-11	43 JF (PR)	
			1		

	Case 5:08-cv-01143-JF	Document 5-2	Filed 07/01/	2008 Pa	age 1 of 3
1 2 3 4	EDMUND G. BROWN JR Attorney General of the Sta DANE R. GILLETTE Chief Assistant Attorney G GERALD A. ENGLER Senior Assistant Attorney G PEGGY S. RUFFRA	ate of California eneral General			
<ul><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li></ul>	Supervising Deputy Attorn JOAN KILLEEN Deputy Attorney General State Bar No. 111679 455 Golden Gate Avenue San Francisco, CA 94102 Telephone: (415) 703-59 Fax: (415) 703-1234 Email: Joan.Killeen@doj Attorneys for Respondent	e, Suite 11000 2-3664 68			
10	IN	THE UNITED STA	ATES DISTRIC	CT COURT	
11	FOR T	THE NORTHERN I	DISTRICT OF	CALIFORN	NIA
12		SAN JOS	E DIVISION		
13	ALY TAMBOURA,		C	08-1143 JF	F(PR)
14	,		Petitioner,		
			<i>,</i>		
15	v.				
16		arden,			
	v. ROBERT L. AYERS, W		despondent.		
16 17 18			espondent.		
16 17	ROBERT L. AYERS, W  DECLARATION OF	R	PPORT OF R		
16 17 18 19 20	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
116 117 118 119 220 221	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
16 17 18 19	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
16 17 18 19 20 21	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
16 17 18 19 20 21 22 23	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
16 17 18 19 20 21 22 23 24	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
16 17 18 19 20 21 22 23 24 25	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		
16 17 18 19 20 21 22 23 24 25 26	ROBERT L. AYERS, W  DECLARATION OF	COUNSEL IN SU	PPORT OF R		

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1 2 3 4 5	EDMUND G. BROWN JR Attorney General of the Sta DANE R. GILLETTE Chief Assistant Attorney G GERALD A. ENGLER Senior Assistant Attorney G PEGGY S. RUFFRA Supervising Deputy Attorney JOAN KILLEEN Deputy Attorney General State Bar No. 111679	te of California eneral General			
7 8	455 Golden Gate Avenue San Francisco, CA 94102 Telephone: (415) 703-590 Fax: (415) 703-1234 Email: Joan.Killeen@doj	-3664 58			
9	Attorneys for Respondent				
10	IN	THE UNITED STA	TES DISTR	ICT COU	JRT
11	FOR T	HE NORTHERN D	OISTRICT O	F CALIFO	ORNIA
12		SAN JOSI	E DIVISION	I	
13	ALY TAMBOURA,			C 08-11	43 JF (PR)
14			Petitioner,		ARATION OF
15 16	v. ROBERT L. AYERS, W	arden,		RESPO APPLI	SEL IN SUPPORT OF ONDENT'S EX PARTE CATION FOR FIRST NSION OF TIME
<ul><li>17</li><li>18</li></ul>		Re	espondent.		
19	I, Joan Killeen, d	eclare under penalty	of perjury th	nat:	
20	I am a Deputy Att	orney General of the	State of Cali	fornia and	l am admitted to practice law
21	in this state and before this Court. I have been assigned to represent respondent and to prepare the				
22	answer in this case. Respondent has made no previous request for an extension of time.				
23	On May 2, 2008, this Court issued an Order to Show Cause, directing respondent to file				
24	an answer to the petition for writ of habeas corpus within sixty days.				
25	I request an additi	onal sixty days from	the present of	due date to	prepare and file the answer.
26	This request is not made for	r the purpose of dela	y. In the pas	st sixty da	ys, I filed the answers to the
27	petitions for writ of habeas	corpus in Cruz v. Sub	bio, C 07-432	29 <b>JSW</b> , a	nd <i>Hawkins v. Dexter</i> , C 08-
28	Declaration Of Counsel In Suppor (PR)	t Of Respondent's Ex Pa	rte Application	For First Ex	tension Of Time - C 08-1143 JF

1087 SI (PR), a motion to dismiss the petition for writ of habeas corpus in *Monroe v. Adams*, CIV 2 S-08-0558 MCE DAD P, a reply to the opposition to a motion to dismiss the petition for writ of 3 habeas corpus in McCord v. Warden, C 07-5217 CRB, and the respondent's briefs in People v. Luna, H031666, and *People v. Ary*, 113020. I am currently working on the respondent's brief in *People* 5 v. Terwilligar, A119000, a case with a reporter's transcript over 1,800 pages long and a clerk's transcript over 1,450 pages long. In addition, I have to file the respondent's brief in *People v*. 6 7 Gonzalez, H032193, and the answer to the petition for writ of habeas corpus in Nordlof v. Clark, C 8 07-4899 MMC, before beginning work on the answer in this case. 9 Petitioner raises four claims for relief in connection with his 2004 convictions for infliction of corporal injury on a spouse with personal use of a firearm and making terrorist threats, 11 for which he was found in violation of probation in 2006. In light of my current work load, the 12 number of claims raised by petitioner, and the necessity of reviewing the trial record to address those 13 claims, I will be unable to prepare and file the answer by the current due date. I have not contacted petitioner in this case because he is a state prisoner proceeding pro 14 15 se. 16 Executed on June 30, 2008, at San Francisco, California. 17 18 /s/ Joan Killeen JOAN KILLEEN 19 Deputy Attorney General 20 21

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Declaration Of Counsel In Support Of Respondent's Ex Parte Application For First Extension Of Time - C 08-1143 JF (PR)

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7 8	IN	THE UNITED STATES	DISTRICT COI	IDT	
9		THE NORTHERN DIST			
10	TOK	SAN JOSE DI		OMM	
11			7		
12	ALY TAMBOURA,		C 08-1143 JI	F (PR)	
13	V	Petitioner	[PROPOSE FIRST EXT FILE ANSV	D] ORDER GRANTING ENSION OF TIME TO	
14	v. ROBERT L. AYERS, W	Varden	FILE ANSV	V LIK	
15	ROBERT ENTITERS, VI	Respondent			
16					
17	GOOD CAUSE	APPEARING, responden	t is granted an add	litional sixty (60) days to and	
18					
19					
20	DATED:				
21					
22		JEREMY F			
23		UNITEDS	TATES DISTRIC	ZI JUDGE	
24					
<ul><li>25</li><li>26</li></ul>					
27					
28					
	iii				

## **DECLARATION OF SERVICE**

Case Name: **Tamboura v. Ayers, Warden**No.: **C 08-1143 JF (pr)** 

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the Bar of this Court at which member's direction this service is made. I am 18 years of age or older and not a party to the within entitled cause; I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 1, 2008, I placed the attached 1) RESPONDENT'S EX PARTE APPLICATION FOR FIRST EXTENSION OF TIME; 2) DECLARATION OF COUNSEL IN SUPPORT OF RESPONDENT'S EX PARTE APPLICATION FOR FIRST EXTENSION OF TIME; and 3) [PROPOSED] ORDER GRANTING FIRST EXTENSION OF TIME TO FILE ANSWER in the internal mail collection system at the Office of the Attorney General, 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102, for deposit in the United States Postal Service that same day in the ordinary course of business, in a sealed envelope, postage thereon fully prepaid, addressed as follows:

Aly Tamboura F-17843 San Quentin State Prison P. O. Box 4999 San Quentin, CA 94974

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **July 1, 2008**, at San Francisco, California.

L. SORENSEN	/s/ L. Sorensen
Typed Name	Signature